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Lordsburg New Mexico.

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CONSTITUTIONAL CONVENTION.

We give below portions of the constitution which have been adopted by the convention and will continue it until the constitution is completed.

THE JUDICIARY—DISTRIBUTION OF JUDICIAL POWERS.

Section 1. The judicial powers of the state shall be vested in a supreme court, district courts, probate courts, justices of the peace and such other courts inferior to the supreme court, including arbitrators, as the legislature may from time to time establish.

THE SUPREME COURT.

Sec. 2. The supreme court, except as otherwise provided in this constitution, shall have appellate jurisdiction only, in all actions, suits and other proceedings. It shall have a general supervising control over all inferior courts, and such regulations and limitations as may be prescribed by law.

Sec. 3. The supreme court and the judges thereof shall have power to issue all writs and processes necessary to secure justice to parties and to exercise the enforcement of its own judgments and decrees of its jurisdiction and to hear and determine the same. And the exercise of such jurisdiction shall be regulated by law but in no case removed into said court shall trial by jury or the taking of evidence on any question raised by the record ever be allowed.

Sec. 4. The supreme court shall consist of three justices, one of whom shall be styled the chief justice; but after ten years from the time when this constitution goes into effect the number may be increased to five by law. Their terms of office shall be six years, except those of the first three justices, of whom one shall hold office for two, one for four, and one for six years. A majority of the members of the court shall constitute a quorum.

Sec. 5. No person who is less than 30 or more than 70 years of age shall hold the office of justice of supreme court, or judge of a district court, nor unless he has been a member of the bar for six years and a citizen of the United States and a resident of New Mexico for two years. Any such justice or judge may be removed from office only after impeachment and conviction thereon for corruption, official malfeasance, wilful neglect of duty or incompetency; but pending such impeachment he shall exercise none of the duties of his office.

Sec. 6. The judges of the supreme court shall be appointed by the governor by and with the advice and consent of the senate, and their salaries shall be fixed by law, which shall not exceed \$5,000 per year. No two of such judges shall be appointed from residents of the same judicial district. The judge having the shortest time to serve shall be styled the chief justice and perform the duties thereof.

Sec. 7. The supreme court shall hold at least one term in each year at the seat of government, but the legislature may from time to time direct that said court shall hold additional terms in any one or more judicial districts.

Sec. 8. The judges of the supreme court shall by virtue of their office be conservators of the peace throughout the state.

Sec. 9. The supreme court shall appoint a clerk thereof, who shall hold his office six years, subject to removal by the court. His compensation shall be fixed by law, and his duties shall be prescribed by law and by the rules of the supreme court.

Sec. 10. The governor shall designate so many district judges as shall be necessary to constitute a quorum, whenever, from any cause, in any matter pending therein, a majority of the judges thereof shall be unable or disqualified to act.

DISTRICT COURTS.

Sec. 11. Until otherwise provided by law the state is hereby divided into four judicial districts numbered consecutively 1, 2, 3, and 4.

District number 1 shall be composed of the counties of Santa Fe, Rio Arriba, San Juan and Taos.

District number 2 shall be composed of the counties of Bernalillo, Valencia and Socorro.

District number 3 shall be composed of the counties of Grant, Dona Ana, Sierra and Lincoln.

District number 4 shall be composed of the counties of San Miguel, Mora and Colfax.

Sec. 12. In each judicial district one judge of the district court shall be elected by the qualified electors thereof; his term of office shall be four years and until his successor is elected and qualified, and his salary shall be prescribed by law, not to exceed \$3,000 a year.

Sec. 13. Any person, to be eligible to the office of judge of the district court, shall be a citizen of the United States, a permanent resident of the district in which he is elected a judge of the supreme or district court, at least 40 years of age, a practicing lawyer in good standing in the territory or the state of New Mexico for at least two years next preceding his election or his service upon the bench of any court of record in the United States, when

added to the time he shall have so practiced law, shall be equal to such four years.

Sec. 14. There shall be a district court for each county. The district courts shall have general unlimited chancery and common law jurisdiction in all cases and matters decided in the probate courts and in courts of justices of the peace under such regulations as may be prescribed by law, and shall have a general control over all inferior courts.

Sec. 15. The district court and judges thereof in vacation shall have power to issue writs of habeas corpus, mandamus, quo warranto, certiorari, injunction, prohibition and all other original and remedial writs necessary to the exercise of their jurisdiction, with authority to hear and determine the same. They shall be conservators of the peace throughout the state.

Sec. 16. The time of holding courts within said judicial districts shall be as provided by law, but at least two terms of the district court shall be held annually in each organized county, except in such counties as may be attached for judicial purposes to other counties wherein such courts are held. Special terms of said courts may be held under such regulations as may be prescribed by law.

Sec. 17. Writs of error and appeals shall be allowed from the decisions of the district courts to the supreme court under such regulations as shall be prescribed by law.

Sec. 18. The legislature shall provide by law for holding district courts when, from any cause, the judge shall fail to attend, or, if in attendance, cannot properly preside.

Sec. 19. There shall be a clerk of the district court in each county wherein a term is held, who shall be elected by the qualified electors thereof at the same time and for the same term as herein provided for the judges of the district court. His duties and compensation shall be prescribed by law. Such clerk shall keep the records of the district court for that county at the county seat thereof and be the custodian thereof and of the seal of said court.

PROBATE COURTS.

Sec. 20. There shall be elected in each organized county in this state a judge of the probate court, whose term of office shall be two years and until his successor shall have been elected and qualified. His qualifications and duties shall be determined by law.

Sec. 21. There shall be a probate court in each county, the jurisdiction of which shall be prescribed by law. The probate court in each county shall be a continuation of the probate court under the territorial government, and the records and files thereof shall be continuous and unbroken.

Sec. 22. There shall be prescribed by law a code of procedure and practice for the probate courts; and until such code is prescribed by law, the supreme court may prescribe rules not inconsistent with this constitution, and with law for the guidance of such courts.

Sec. 23. There shall be a clerk of the probate court in each organized county of this state, who shall be elected by the qualified electors thereof. The duties of such clerk shall be as prescribed by law.

Sec. 24. Appeals shall be allowed in all cases from county courts to district courts, in such manner and under such regulations as shall be prescribed by law.

Sec. 25. The regular terms of the probate courts for the several counties respectively shall be prescribed by law, but they shall always be open for the transaction of business, except on legal holidays and non-judicial days.

Sec. 26. Any matter pending in a probate court, which the judge thereof shall be disqualified to try or hear, shall be transferred to the district court of the same county for trial or hearing.

COURTS OF JUSTICES OF THE PEACE.

Sec. 27. The tenure of office and jurisdiction of justices of the peace shall be regulated by law; but they shall not have jurisdiction of cases involving the title of land or of cases where the amount involved, exclusive of costs, is over \$100, nor of cases of felony, except as committing magistrate.

GENERAL PROVISIONS.

Sec. 28. The supreme, district and probate courts shall be courts of record.

Sec. 29. The legislature shall provide by law for an appropriate seal for each of said courts of record, with which all records thereof and writs and processes issued therefrom respectively shall be authenticated. And all prosecutions, civil and criminal, shall be conducted in the name and by the authority of the same.

Sec. 30. All process shall run in the name of the state of New Mexico, and all prosecutions, civil and criminal, shall be conducted in the same, and all indictments shall conclude, "Against the peace and dignity of the state of New Mexico."

Sec. 31. It shall be the duty of the legislature to provide for carrying into effect this article and to provide for a general system of practice in all the courts of the state.

Sec. 32. The legislature may limit the power of the courts to punish for contempt.

Sec. 33. No judge of any court of re-

cord shall, during his service as such judge, practice law in any courts of this state or of the United States, or give advice in any case which may come before him.

Sec. 34. The supreme court shall have power to make all necessary rules for the government of said courts; they shall also have power to make rules of practice for the other courts of record of this state, and rules for the admission to the bar of the courts of record of this state.

Sec. 35. Provision may be made by law for the election of judicial officers at times different from the general elections.

Sec. 36. All cases pending in the supreme court of New Mexico, except cases arising under the constitution and laws of the United States, shall be removed into the supreme court hereby created, to be there heard and determined as through originally brought up to that court of the state; and if any such case is remanded for further or other proceedings, it shall be sent back to the district court for which, under the territorial form of government, the original judgment or decree was entered.

Sec. 37. The district court of each county is declared to be a successor to and a continuation of the district court established in such county by the territorial legislature, and all pending suits, matters and proceedings, both civil and criminal, shall be tried, heard and determined by the new court hereby established and the files and dockets and other records shall be continuous and unbroken.

Sec. 38. In case of a vacancy occurring in the office of judge of any of the courts of record, to be elected under this constitution, from death, resignation or otherwise, the governor shall fill the vacancy for the unexpired term by appointment, provided such unexpired term does not exceed one year. If such unexpired term shall exceed one year then, to fill such vacancy, the governor, by proclamation shall call a special election therefor, in the proper district or county; and in that case the part of the vacancy preceding the qualification of the judge so elected at such special election shall be filled by the governor by appointment. The governor shall issue commissions to all judges of courts elected or appointed.

Sec. 39. The district judges may be by law authorized to act for one another in the discharge of their official duties, in such manner and under such circumstances as may be fixed by law.

Poisoned with Malaria.

Mr. S. D. Price, a native of this State, but now a prominent and influential citizen of Dallas, Texas, writes under date of April 12, 1889: "About three years ago I was living in a malarial district of Georgia, and while there I suffered from malaria all over my body. The poison in my blood was so bad that it ruined my health and prostrated me. I was at length so reduced in health, and apparently incurable after taking large quantities of different medicines prescribed by my physicians, that they, as a last resort, advised me to go to Hot Springs, as it was the only chance of recovery left, and in this they expressed their serious doubts that I would derive any benefit from the trip. I went to Hot Springs, and while there took a thorough course of medicine under the physicians, which seemed to benefit, but did not cure me, for in one month after my return the malady reappeared. I immediately began taking S. S. S., which made me permanently well—well from 1886 until now."

Skin Eruption Cured.

One of my customers, a highly respected and influential citizen, but who is now absent from the city, has used Swift's Specific with excellent result. He says in cured him of a skin eruption that he had been tormented with for thirty years, and had resisted the curative qualities of many other medicines.

ROBERT CLEGG,
Druggist, Falls City, Neb.
Swift Specific Co.,
Drawer 3, Atlanta, Ga.

Bulletin: On Tuesday, October 1st, W. W. Dameron, county treasurer, opened and received the bids for the Graham county funding bonds for \$50,000. They were awarded to Messrs. Lamprecht Bros. & Co., bankers, of Cleveland, Ohio, at \$51,250 00, being a premium of 2 1/2 per cent.

News Register: The Raton Range publishes in its territorial items the statement that "it is estimated that the Navajo Indians will sell at over 2,000,000 pounds of wool this fall." Now, as the Navajo is territorial press, allow us to inform you that the Navajos do not shear their sheep in the fall.

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